

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering the application.

Status of the Claims

Claims 1-4, 7, 8, 10-23, 26-41, 43-55, and 57 are all the claims pending in the application. Claims 1, 14, 19, 34, 47, 55, and 57 are independent. The remaining claims depend, directly or indirectly, claims 1, 14, 19, 34, 47, 55, and 57.

Rejections Under 35 U.S.C. § 112

Claim 55 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner noted that claim 55 included the limitation “executing at on.” Claim 55 has been amended to correct the typographical error to recite “executing on.” Accordingly, withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 1-4, 7, 8, 11-17, 19-23, 26-29, 31-39, 41, 43-45, 47-49, 51-53, 55, and 57 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,546,002 (“Kim”). This rejection is respectfully traversed.

Each of independent claims 1, 14, 19, 34, 47, 55, and 57 recite received data items comprising personalized information pushed to a subscriber according to the provisioning profile associated with the subscriber. The background section of the present application discusses in detail the distinctions between “pushed” data and “pulled” data. Specifically, mobile portals in the prior art typically allow a user to “pull” (i.e. access) data using a menu or link driven

interface. *Present Application*, pg. 2, para. [0004]. In contrast, in the present invention as recited in claims 1, 14, 19, 34, 47, 55, and 57, “pushed” data items are transmitted to the user based on a provisioning profile.

Kim discloses a mobile interface agent (“MIA”) that is used to manage, access, and retrieve information from network and local memory. *Col. 6, ll. 30-37*. With reference to Figure 4 of Kim, the MIA 102 is “coupled to a network 132 so that a user can *access* software programs, applications, files, folders, documents, services, URLs, IP addresses, telephone numbers, television channels, radio stations, multimedia data, user profile data, other MIAs, and other items located *remotely* on the network.” *Col. 7, ll. 12-16 (emphasis added)*. Thus, Kim discloses a pull-type interface for a user to *access* (i.e. pull) information over a network. Kim is silent on *pushing* data items to a user based on a provisioning profile, as recited in independent claims 1, 14, 19, 34, 47, 55, and 57.

In view of the above, Kim neither shows nor suggests the present invention as recited in independent claims 1, 14, 19, 34, 47, 55, and 57. Thus, independent claims 1, 14, 19, 34, 47, 55, and 57 are patentable over Kim. Dependent claims 2-4, 7, 8, 11-13, 15-17, 20-23, 26-29, 31-33, 35-39, 41, 43-45, 48, 49, and 51-53 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. § 103

Claims 40 and 50

Claims 40 and 50 were rejected as being unpatentable over Kim. As discussed above with respect to claims 34 and 47, from which claims 40 and 50 respectively depend, Kim neither

shows nor suggests the present invention as recited in claims 34 and 47. By virtue of their respective dependence, claims 40 and 50 are patentable over Kim for at least the same reasons as claims 34 and 47. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 10, 18, 30, 46, and 54

Claims 10, 18, 30, 46, and 54 were rejected under 35 U.S.C. § 103 as being unpatentable over Kim in view of U.S. Patent No. 5,848,396 (“Gerace”). This rejection is respectfully traversed.

As discussed above with respect to claims 1, 14, 19, 34, and 47, from which claims 10, 18, 30, 46, and 54 respectively depend, Kim neither shows nor suggests the present invention as recited in claims 1, 14, 19, 34, and 47. By virtue of their respective dependence, claims 10, 18, 30, 46, and 54 are patentable over Kim for at least the same reasons as claims 1, 14, 19, 34, and 47. Gerace does not provide that which Kim lacks with respect to claims 1, 14, 19, 34, and 47. For example, Gerace neither shows nor suggests a pushing data items to a user based on a provisioning profile.

In view of the above, Kim and Gerace, whether considered separately or in combination, fail to show or suggest the present invention as recited in independent claims 1, 14, 19, 34, and 47. Thus, independent claims 1, 14, 19, 34, and 47 are patentable over Kim and Gerace. Dependent claims 10, 18, 30, 46, and 54 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. 09/832,828

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

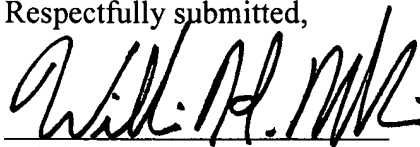
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